

PINAL COUNTY HEARING OFFICE
(PO NUMBER 247780)

Morning Session
October 13, 2022
Pinal County Superior Court Administration Building
971 N. Jason Lopez Circle, Building A, 3rd Floor
Florence, Arizona 85132

INDEX:

Respondent	Case No.	Activity/ Complaint No.
The Estate of Yvette Cook	Z022-0060	CC-0518-18

TRANSCRIPTION PROVIDED BY

Julie A. Fish
Quick Response Transcription Services
829 East Windsor Avenue
Phoenix, Arizona 85006
602-561-2283

ORIGINAL PREPARED FOR:
PINAL COUNTY, ARIZONA

1 TRYON: My name is Terry Tryon, I'm a civil hearing
2 officer for Community Development. Today's date is October
3 13, 2022. A couple of rules. If you have any cell phones,
4 please put them on silent. If you need to take an emergency
5 call, please step out in the hallway and then come back in.
6 Because these proceedings are recorded, a simple headshake
7 will not work, you have to speak into the microphone so it's
8 recorded, and these proceedings will be recorded for record
9 and - for permanent record and transcript purposes, okay?
10 Yvette Cook?

11 COOK: (Inaudible).

12 TRYON: Pardon me?

13 COOK: I'm her daughter.

14 TRYON: Okay. Would you step up to the desk please?
15 Okay. Please remain standing for (inaudible). If you'll both
16 raise your right hand. Do you each solemnly swear and affirm
17 that the testimony you're about to give is the truth, the
18 whole truth and nothing but the truth?

19 COOK: Yes.

20 GAXIOLA: Yes.

21 TRYON: Okay, be seated. Now I'll allow the County
22 to present their case first and then I'll come in, okay?

23 GAXIOLA: Good morning, my name is -

24 TRYON: Hang on. Hang on. Today's case number is
25 Z022-0060, complaint number CC-0518-18, in the matter of The

1 Estate of Yvonne Cook. Code compliance officer is Jose
2 Gaxiola. Sir.

3 GAXIOLA: Good morning. My name is Jose Gaxiola
4 with Pinal County Community Development, and at this time I'd
5 like to request permission to submit my hearing packet.

6 TRYON: Okay.

7 GAXIOLA: So we're here this morning to consider the
8 case, code compliance case. The owner of record is The Estate
9 of Yvette Cook. The subject parcel number is 503420760. This
10 property is zoned CR-3. The violations on the property are
11 Count 1, is outside storage and parking - vehicle parking.
12 Beginning on July 5, 2018 and continuing to the present on the
13 property identified as parcel 503420760, zoned CR-3. The
14 property owner has maintained multiple inoperable and
15 unregistered, expired registration vehicles on the property.
16 This is in violation of PCDSC 2.185.010 as it pertains to
17 2.185.050. There's a second count, a second violation of
18 outside storage and parking - other items. And beginning on
19 July 5, 2018 and continuing to the present, on the property
20 identified as parcel 503420760, zoned CR-3. The property
21 owner has maintain outside storage of tires, scrap metals and
22 other indiscernible inoperable items within view of the public
23 roadways, right-of-ways, easements, and contiguous properties.
24 This is in violation of PCDSC 2.185.010 as it pertains to
25 2.185.100. This case was opened back in July 5th of 2018. A

1 courtesy letter was mailed on July 27, 2018, and the first
2 letter of violation was mailed on October 5, 2018. A demand
3 letter was sent on December 10th of 2021. There have been 13
4 inspections of the property, and the hearing complaint was
5 submitted on August 12th of this year, 2022. On October 11th of
6 2022, I observed - I conducted (inaudible) I observed that on
7 property there's still a considerable amount of indiscernible
8 items, inoperable items on the property, to include the used
9 tires, scrap wood, scrap metal. There's household furniture
10 within view of the public roadways, right-of-ways, easements,
11 and contiguous properties. There's also present on the
12 property two vehicles that are inoperable. There have been a
13 total of three letters that have been mailed to the property
14 owner, there have been four phone calls, and four in-person
15 meetings with the property owners - or 10 (inaudible) the
16 property. It is my recommendation that the hearing officer
17 find a violation of Counts 1 and 2, impose a fine of \$750 per
18 violation, and order immediate abatement of the property. And
19 I would like to go through the packet. The first page you'll
20 see the zoning, the development services parcel information
21 for this parcel that's located in Casa Grande. Next, we'll
22 find the first letter that was sent, the courtesy letter that
23 was sent to the property owners. And with that letter also
24 included the code for the zoning code violation. Next we'll
25 find the initial letter that was sent, or the first notice of

1 violation, that was sent on October 5, 2018. And there again,
2 it includes the codes, the zoning codes. Then we see that
3 there is the demand letter that was sent on May 5th. That also
4 included the zoning codes. Then we have, as we're going
5 through the packet, we have the complaint form that was filed
6 on August 12th of this year, 2022. We have the notice of
7 hearing for today's date. We also have the certificate of
8 service that was - personal service that was rendered. And
9 then we come to the photographs. These photographs in
10 enclosure number 8 were taken by then CCO Carrie Duncan. We
11 see in number 1, in photograph number 1, this is a picture of
12 - from Candlestick Drive. And you can see in the picture that
13 there are multiple items on the east side of the property.
14 Picture number, also taken from Candlestick Drive, you notice
15 more items being stored outside. Photo number 3 is another
16 view, but this one's of the east side of the property, then
17 towards the back of the property. You can see that there's
18 still more items that are being stored outside. And finally
19 number 4 is another picture from Candlestick Drive which shows
20 the items that are there still on the property. If we go to
21 enclosure number 9, these are the pictures that I was able to
22 take on Tuesday, the 11th of this month, of October. The first
23 one is a picture from Boone Drive and Candlestick Drive. You
24 can see how there's still multiple items that are being placed
25 outside underneath the carport, at the rear of the property.

1 In photo number 2, is a closeup picture that I was able to
2 take from the - you can see this property on the east side of
3 the property. And here you have to see - under the carport
4 you can see that there is multiple items. There's household
5 appliances being stored underneath the patio. Photo number 3,
6 you can see that there is a picture of a washer and dryer
7 combo as being stored outside, that's - they're not connected
8 to utilities. Picture number 4 shows a picture of multiple
9 used tires that are being stored on the west - on the west end
10 of the property between the house and the block wall. Picture
11 number 5, this is behind the property. This is a picture of a
12 trailer that is filled with scrap and debris. Picture number
13 6 shows another trailer that's on the property that is also
14 loaded with scrap and debris. Picture number 7, it shows an
15 inoperable vehicle that has front end damage. And picture
16 number 8 shows an inoperable vehicle which is missing its
17 driver's side tire. And finally, picture number 9 is a
18 picture from the east side of the property that shows a sofa
19 and other items (inaudible) of the property.

20 TRYON: That it?

21 GAXIOLA: That's it.

22 TRYON: And ma'am? You're the daughter of Yvette?

23 COOK: Yes.

24 TRYON: Could you state your full name please, and
25 your address?

1 COOK: Anita Joye Cook, 6726 West Denton Lane,
2 Glendale, Arizona.

3 TRYON: Okay, Ms. Cook.

4 COOK: My mom had rented the house to Jesse
5 Alexander, who's still living there. When she died we
6 continued the rental. The earlier complaints with Carrie
7 Duncan, we were under the impression that those had all been
8 taken care of and settled and cleared, so that he had done the
9 cleanup that she required. When I got the letter back in
10 August, I called him up and told him about it and he said, oh,
11 I know what they're talking about, I can clean that up. And
12 he went and cleaned up everything to the east side of the
13 fence, which my mom did not own that lot on the east of the
14 fence where stuff was. But he cleaned that up and he said he
15 was going to send me pictures to show me it was cleaned up.
16 He didn't seem to be aware of any of the other areas that were
17 being complained about. But he tells me he's 80-something
18 years old, so - and when I talk to him on the phone, I really
19 think he doesn't always understand everything. But he thought
20 that everything was taken care of before, and he took care of
21 that. He was going to send me pictures, but he needed to get
22 his daughter to do that, and he hadn't been able to get her to
23 do it. So I called him up three weeks ago or something and I
24 said, well I'm going to go ahead and call them and tell them
25 that you said that you cleaned that up, but he couldn't even

1 understand what I was saying because he was really sick that
2 day. So I had to wait and call him back at the end of the
3 week or something when he was able to talk then. And he said,
4 well that's fine, because I have cleaned up that area. So I
5 called and that's - after that's when I got told that, no, it
6 was in back and under the carport, and the tires. So I called
7 Jesse back and I told him, well these areas are a concern to
8 them as well. He says okay, well - okay, I'll get to work on
9 them. And he told me that the tires were there because they
10 came off his trailer, but he just hadn't hurried up and put
11 them back on. But he told me that he did something with them
12 now, and that he's been working on the other two areas, but
13 it's only been like a couple weeks and he hasn't been able to
14 finish it up. But I was also told that the area on the east
15 side was no longer a problem, there was nothing there that was
16 of concern. So he did clean up that area that he understood
17 was supposed to be cleaned up. He told me yesterday that he
18 thought he could finish cleaning it up in the next couple of
19 weeks. Problems have to do with his saw and his car, his
20 truck or whatever, not always working. But that's the
21 situation, the way I understand it is now. I live in
22 Glendale. During this time I've had car issues. I got
23 stranded on Buckeye Road, the axel of my vehicle broke. I
24 didn't know what it was, all I knew is I couldn't move. And
25 so that vehicle was no good. I was needing a wheel bearing in

1 my other vehicle, so I didn't have any vehicle I could trust
2 to make a trip this far. To be here today, I had to borrow
3 someone else's vehicle to come. So I wasn't able to come down
4 here and try to do anything about it during that time, but I
5 was told that if it wasn't cleaned up on the 12th that I'd have
6 to be here today, so I'm here.

7 TRYON: Okay. And how many, how many contacts have
8 you had with Ms. Cook? Or who were those contacts - you
9 mentioned phone calls and in person contacts.

10 GAXIOLA: Yes sir. Those were made by the previous
11 code compliance officers before me. They had contacted Mr.
12 Alexander and talked to him regarding the property, and so the
13 only interactions I've had with the property owners is with
14 Ms. Cook here. We did have a phone conversation on the phone,
15 and that's when I did explain to her what the violations were.
16 She did state to me that the east side of the property was
17 clean. I acknowledged that it was clean. As the property
18 owner is stating that she does not have the means to come down
19 to Casa Grande to look at the property, so I offered to take
20 pictures of the property to give her a better understanding of
21 what the situation on the property was. Those photos were
22 emailed to her, so therefore she can get a better idea of what
23 the property looks like. So those would've been the only
24 interactions that I've had with the property owner.

25 TRYON: And did you discuss any resolutions with Ms.

1 Cook on getting the place cleaned up, or working with her to
2 make it look better?

3 GAXIOLA: Yes sir, I did. I stated to her, because
4 she did mention about the east side, and I said that that was
5 fine, the east side was good, it was clean. However, though,
6 I also stressed to her that the things that were under the
7 carport, the things that were at the rear of the property,
8 those were issues that needed to be addressed also, and that
9 they needed to be addressed prior to today's hearing. And
10 that was all that I heard from -

11 TRYON: And how long ago was that?

12 GAXIOLA: That was two weeks ago that we had this
13 conversation.

14 TRYON: Okay, based on what's been presented here
15 this morning, the testimonies and photographic evidence here,
16 I do find that the property's out of compliance.

17 COOK: We just need a little more time because he's
18 old and he can't do it fast.

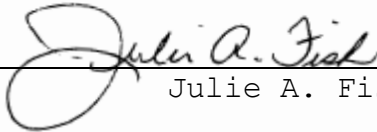
19 TRYON: Unfortunately, you're the owner of record
20 and that's the responsibility that you'll have to bear, either
21 by hiring somebody to come in and help him clean it up and
22 perhaps maybe you charge him for your efforts. But I will
23 find you responsible for the violations, both Count 1 and 2,
24 with a \$750 fine for each count. And that concludes case
25 number Z022-0060, complaint number CC-0518-18.

1 I, Julie A. Fish, Transcriptionist, do hereby
2 certify that the foregoing pages constitute a full, true, and
3 accurate transcript in the foregoing matter, and that said
4 transcription was done to the best of my skill and ability.

5 I FURTHER CERTIFY that I am not related to nor
6 employed by any of the parties hereto, and have no interest in
7 the outcome hereof.

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Julie A. Fish

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